Remarks

I. Introduction

This is in response to the Office Action dated May 11, 2009.

Claims 2-5, 11, 13, 14, and 21 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2007/0168426 to Ludwig et al. (*hereinafter* "Ludwig"). Claims 6-10, 15, 19, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ludwig in view of U.S. Patent no. 5, 689,553 to Ahuja (*hereinafter* "Ahuja").

In response, Applicants have amended independent claims 13 and 21. No new matter has been added.

Claims 2-11, 13-15, and 19-21 remain for consideration.

II. Rejections under 35 U.S.C. §§ 102 and 103

Independent claims 13 and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ludwig. In order for a claim to be anticipated under 35 U.S.C. §102, **each and every** limitation of the claim must be found either expressly or inherently in a single prior art reference. PIN/NIP, Inc. v. Platte Chem. Co., 304 F.3d 1235, 1243 (Fed. Cir. 2002). However, Ludwig does not show each and every limitation of amended claims 13 and 21, and therefore the rejection under 35 U.S.C. §102(e) should be withdrawn.

The present invention is directed to sharing information between a television and computer systems. A voice communication (e.g., a telephone call) is established between a sender of audiovisual content and the intended receiver. *See* Specification, page 6, line 118 – 124. The sender then broadcasts the audiovisual content from a computer over a designated cable television channel or data network to the recipient. *See* Specification, page 9, line 188 – 195. The broadcast and voice communication are associated such that the recipient can control the sender's data/cable broadcast of the audio visual content via touch-tone telephone commands (e.g., DTMF signals) sent by the recipient over the voice communication. *See* Specification, page 9, line 188 – 202. That is, the recipient can

control the broadcast of audiovisual content over a cable or data network by transmitting commands over the separate voice communication network. The commands are received by the sender's computer system and used to control the broadcast over the data network.

These and other features of the present invention are recited by the claims. For example, independent claim 21 recites.

> A method of transmitting an audio / visual (A/V) file from a sender to a recipient using a voice communication network and a data network, said voice communication network independent of said data network, the method comprising the steps of:
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> establishing a voice connection on said voice communication network between said sender and said recipient, said recipient having a voice communication network address;
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> determining a recipient data network address based on an association between said recipient data network address and said recipient's voice communication network address;
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> downloading said A/V file from said sender to a server associated with the recipient data network address via said data network during said voice connection; and
>
> receiving a dual-tone multi-frequency (DTMF) signal encoding navigation instructions at a sender's computer to navigate through said A/V file from said recipient via said voice connection.

Applicants respectfully submit that Ludwig does not disclose all the features of amended independent claim 21, and therefore the rejection under 35 U.S.C. § 102(e) should be withdrawn.

Ludwig is directed to storing and accessing media files. More particularly, Ludwig discloses collaborative workstation software that provides sharing screen snapshots, group annotation, and other features. Furthermore, real-time data and asynchronous data over separate signaling paths over a data network. However, Ludwig does not disclose navigation of the A/V content that is broadcast over a data network via navigation instructions issued over a voice network, as recited by claim 21.

The Examiner contends that "participants of the data sharing can edit, annotate, or navigate while having a voice connection; therefore, one participant can tell the other one commands for editing/navigating through the content." Detailed Action, item 3, page 3-4. However, this is very different from the feature recited of "receiving a dual-tone multi-frequency (DTMF) signal encoding navigation instructions at a sender's computer to navigate through said A/V file from said recipient via said voice connection," recited by claim 21. Ludwig does not disclose the use of DTMF signals for encoding navigation instructions. Moreover, as amended, claim 21 requires the decoding of DTMF signals by a sender's computer. Thus, the signals are received by the computer used to navigate the A/V content. The sender him/herself is not involved in the navigation. Thus, Applicants submit that the Examiner's reasoning requiring human intervention/participation does not apply to amended claim 21. Thus, claim 21 is allowable over Ludwig.

Independent claim 13 has been amended to recite features similar to those discussed above with respect to claim 21. Applicants note that claim 13 is an apparatus comprising, "means for receiving a dual-tone multi-frequency (DTMF) signal encoding navigation instructions to navigate through said A/V file from said recipient via said voice connection." Thus, the apparatus of claim 13 can receive navigation instructions and navigates the A/V file without human intervention. Thus, for at least the reasons discussed above, claim 13 is allowable over Ludwig.

Applicants respectfully submit that neither Ahuja, nor any other cited reference, cures the deficiency of Ludwig demonstrated above.

All remaining claims depend from an allowable base claim, and are therefore also allowable.

III. No New Matter

The amendments to claims 13 and 21 do not add new matter. Support for these amendments can be found at least at page 9, lines 188-202 of the Specification.

IV. Conclusion

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,

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